UNITED
NATIONS

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Security Council

Distr.
GENERAL

S/1996/311*
25 April 1996

ORIGINAL: ENGLISH

LETTER DATED 22 APRIL 1996 FROM THE PERMANENT REPRESENTATIVE OF THE SUDAN TO THE UNITED NATIONS ADDRESSED TO THE PRESIDENT OF THE SECURITY COUNCIL

As you are aware, the Security Council is deliberating on a draft resolution to impose sanctions on the Sudan in implementation of Security Council resolution 1044 (1996) of 31 January 1996. Such action would, no doubt, have adverse and detrimental effects on the Sudan and its people, in particular since it is based on suspicious, inconclusive and very doubtful evidence, which requires the Council to observe its good conscience and justice.

The Sudan has striven strenuously to draw the attention of the Security Council to the fact that it has no connection whatsoever with the assassination attempt against the President of Egypt in Addis Ababa, but all these efforts have been in vain, as there was a premeditated intention to incriminate the Sudan.

Being confident that the Security Council, none the less, will see to it that its resolutions and actions are based on facts only, I deem it highly important to draw the Council's attention to the report published by the Arabic newspaper Al-Hayat on 21 April 1996 containing an interview by the newspaper's correspondent from Konar, Afghanistan, with Mustafa Hamza, one of the three suspects the Council asked the Sudan to extradite to Ethiopia (see annexes I and II). Moreover, the newspaper, which is the most widely reputed Arabic newspaper, reported that the interview with the suspect Mustafa Hamza is supported by a videotape. We believe the contents of the interview have thrown doubts on the whole issue and the basis for resolution 1044 (1996), which prompts the Council's fair and fact-oriented reconsideration of its action on this matter.

Accordingly, I request that the Security Council verify the information provided in the newspaper's interview with the allegations presented by the parties to this issue, by establishing a fact-finding commission to investigate

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* Reissued at the request of the Permanent Mission of the Sudan to the United Nations.

the emerging new information, which is a practice already set by earlier precedents of the Council, in order to enable the Council to take its decision on a basis of facts and information. I make this request in full confidence that the Council will shoulder its responsibility in fairness and in conformity with the Charter of the United Nations.

May I also request the circulation of the text of the present letter and its annexes as a document of the Security Council.

(Signed) Ali Mohamed Osman YASSIN

Annex I

[Original: Arabic]

Al-Hayat newspaper

Sunday, 21 April 1996

Edition 12110

Disagreements with the Sudanese and hints that Americans might be kidnapped

The prime suspect in last summer's abortive assassination attempt against Egyptian President Hosni Mubarak affirmed that he has been in Afghanistan for eight months, thus countering the accusation that the Sudan is harbouring him, an accusation which has resulted in international sanctions that are still under consideration in the Security Council. Ethiopia is requesting the extradition from the Sudan of three Egyptians suspected of the attempt, which took place on 26 June 1995 just hours before the most recent OAU Summit. The suspect hinted at the possibility that Americans would be kidnapped with a view to their exchange for Sheikh Omar Abdel Rahman. Mustafa Hamza, known as Abu Hazim, said in an interview with Al-Hayat in a remote area of the Afghan province of Konar that the Jama'at al-Islamiya had carried out the abortive attempt and that "we have no connection with any State or organization involved in carrying out the attempt". He stressed the serious disagreements which exist between his organization and the current regime in the Sudan.

Escaped prisoner takes refuge in Afghanistan

Mustafa Hamza, the prime suspect in the attempted assassination of President Hosni Mubarak, contacted the Al-Hayat correspondent in Afghanistan with the offer of an interview. He said "I will send you a young Afghan called Tawfiq Allah. He will meet you in a mosque near Tor Khama".

Having set off in the early morning, the Al-Hayat correspondent finally reached the outskirts of Tor Khama in Pakistan, the official border crossing between Pakistan and Afghanistan. Tawfiq Allah was waiting for him at the mosque, and after half an hour, they set off for Konar.

The Afghan escort would not answer many questions, but made it clear that he supported the Afghan Taliban movement because it had spread peace and security throughout the country.

When the car arrived in Jalalabad, Tawfiq Allah got out to buy fruit. The car then proceeded along the Jalalabad-Kabul road before turning off onto a dirt track towards Konar.

The car stopped near a small river and some ruined houses and everyone waited an hour until a yellow taxi arrived. Two young men got out of it. One,

about 38 years old, was clean shaven and the other, an Afghan, was lightly bearded. Tawfiq Allah hurried towards them and took from Hamza, or "Abu Hazim", as he is known, a rug he was carrying.

Everyone entered a mud-built, windowless room. Abu Hazim, the Al-Hayat correspondent and the two escorts sat on the rug and began the videotaped interview.

As he related some of his personal history, it emerged that Hamza had been imprisoned in 1993 during the Pakistani Government's campaign against the "Arab Afghans". Since his name appeared on a list of 11 young Egyptians submitted by Cairo to Islamabad, he escaped from Peshawar prison, another young Arab having taken his place during a visit.

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The prime suspect in the assassination attempt against Mubarak speaks with Al-Hayat at his hiding place in Afghanistan

Americans may be kidnapped to secure Abdel Rahman's release

Involvement of the Sudan in Addis Ababa incident denied

Konar, Afghanistan
by Ahmed Muwaffak Zeidan

Mustafa Hamza, the prime suspect in the assassination attempt against Egyptian President Hosni Mubarak in Addis Ababa last summer, asserted that the Sudan had not been involved in the incident, alleging a number of reasons. Hamza indicated that he had lived in Afghanistan for eight months, but declined to say who was protecting him in that country.

Hamza, known as "Abu Hazim", was interviewed by Al-Hayat in Afghanistan's Konar province, which is under the control of the "Gama'at Al-Da'wa for Koran and Sunna" party. According to him, it was the Jama'at al-Islamiya that was responsible for the failed assassination attempt and no country or other organization was involved. He stated that 75 per cent of those who had taken part in the attempt had come from Pakistan and held passports of an Arab State, while one or two had entered Ethiopia legally via the Sudan after obtaining entry visas from the Ethiopian Embassy in Khartoum. The Sudan is accused of sheltering Mustafa Hamza, together with two other participants in the failed assassination attempt, and consequently is facing the prospect of having international sanctions imposed on it under a draft resolution which the Security Council is currently considering. Hamza stressed the "profound differences" between the ruling Islamic Front in the Sudan and his own group (the Jama'at al-Islamiya). He accused the Sudanese Government of applying Islam in an obviously distorted and deviant way.

He identified Sheikh Omar Abdel Rahman, who is in prison in the United States, as the mufti (mentor) and leader of the Jama'at al-Islamiya, and said that the possibility of kidnapping Americans and offering to release them in

exchange for the release of the Sheikh was being considered: "We are considering ways to convince the United States Government to release him."

The following is a full transcript of the interview.

Q. Would you please state your name and tell me what your position is in the Egyptian Jama'at al-Islamiya.

A. My name is Mustafa Ahmed Hassan Hamza, and I am a member of the Jama'at al-Islamiya in Egypt. I was born in Biba, in Beni Suef Governorate, Egypt. I obtained a B.Sc. degree in agricultural science from the University of Cairo in 1979. I subsequently spent seven years in prison in connection with the case of the organization known as Al-Jihad, which was accused of the assassination of former President Anwar Sadat. After that, I stayed for one year in Egypt and then travelled abroad. I am 38 years old now.

Q. How and when did you leave Egypt, and where did you go?

A. I left Egypt in December 1989 and went to the Sudan and spent one month there. I then went to Pakistan and Afghanistan, where I stayed for three and a half years. I participated in the sacred war with many Afghan groups.

Q. When did you leave Afghanistan?

A. I come and go. The last time I left was in 1994, and I subsequently returned.

Q. As regards the attempt to assassinate President Hosni Mubarak, you are the principal suspect in the case. How did the perpetrators reach Ethiopia?

A. We issued some press releases that told the whole story. At present, may I simply say that no State or organization was involved in the attempted assassination other than the Egyptian Jama'at al-Islamiya. The entire operation was our doing from A to Z: conception, planning and execution. Allegations of involvement by anyone else are baseless lies. I believe the Egyptian and Ethiopian security services and the American Federal Bureau of Investigation (FBI) are well aware of this. If there are political reasons for pretending otherwise, that is nothing to do with us. All this emerged from the investigation of those of our members who are being held in custody in Ethiopia.

One or two of us came from the Sudan, while the rest came from Pakistan. This can be confirmed at the airport, and is known to Ethiopian Security. Seventy-five per cent of us came from Pakistan and one or two from the Sudan. Our sole objective was to carry out the operation.

Q. Egypt has accused the Sudan of facilitating this operation, and you now say one or two of your members entered Ethiopia through the Sudan. How did you contact them, and how did they enter the Sudan?

A. The person in charge of the operation was Sharif Abdel Rahman, known as Omar the Egyptian. It was he who organized it all from A to Z. He used the services of some of our members who had returned to the Sudan from Pakistan and were ready to infiltrate across the border into Egypt. This is well known to Egyptian Security. But he preferred to use these two members, especially because they looked Ethiopian, in terms of their complexion. He organized their entry into Ethiopia on an individual basis, and the Ethiopians know that they entered the country routinely and legally, obtaining visas from the Ethiopian Embassy in Khartoum. The Ethiopians are well aware of this. As regards their political disagreement with the Sudan, that is nothing to do with us. Even those of us who came from Pakistan to Ethiopia travelled on passports of an Arab State.

Q. How does the Jama'at al-Islamiya view the Sudanese Government?

A. Our policy is to support those who apply the rule of Islam. This is our general rule, but we have deeply rooted differences with the Government of the Sudan. We are traditionalists as regards our belief, our practice, our whole movement, while they (the Sudanese) are very far from being traditionalist; they advocate the reform of Islamic law and deviation from established Islamic tradition. Our disagreements over such matters makes any rapprochement with them difficult. The concept of self-interest which dominates their thinking is far removed from the teachings of Islam. They apply Islam in an obviously distorted and deviant way. When I visited the Sudan I saw no sign of Islam in the people's daily lives; there was only propaganda in the press about jihad in the south. The Sudanese deal with every matter as their self-interest dictates; at one time they ally themselves with Egypt, and at another with Eritrean President Isaias Afwerki. Their position concerning the Eritrean jihad is clear; they sold it out to Afwerki, who subsequently turned against the Sudan. As regards the United States, the situation is clear: they do not want the rule of Islam. The Sudanese, however, show a desire to engage in dialogue with the United States. I think their position concerning Israel is ambiguous. If a treaty between Syria and the Zionist entity is signed they will accept it, which is completely unacceptable and irrational and is also contrary to Islamic law.

Q. Because of you and the Jama'ah, an embargo is to be imposed on the Sudan. How do you feel about this?

A. It is nothing to do with me. We wanted to get rid of Mubarak because he is one of the main obstacles to the international Islamic movements. This was the major consideration as far as we were concerned. Political disagreements with regimes which are victimizing the Sudanese people are nothing to do with us.

We have no members in the Sudan. The other member who is a suspect is in another State and will appear shortly. There is no third person. We wish to show, through dialogue, that the Sudanese people are not involved in the matter.

Q. Where were you during the Addis Ababa operation and when was the last time you came to Afghanistan?

A. During the operation I was in Afghanistan. I was moving between Pakistan and Afghanistan. I wasn't in the Sudan during that period.

Q. How did you enter Ethiopia and how did you leave?

A. This is an ordinary security matter. Ethiopian Security knows that we entered using passports issued by an Arab State that had entry visas in them. I assure you I did not enter from the Sudan. They know it and one of the detainees knows it.

Q. Why did you choose Ethiopia as the place for attempting to assassinate the Egyptian President?

A. Approximately two and a half years ago there was a plan to assassinate Mubarak. He was supposed to go there accompanied by the Secretary-General of the United Nations, Boutros Boutros-Ghali, and other African leaders; the target, however, was Mubarak. The operation was cancelled for certain reasons. After that, we began by sending one of our brothers, who married in Ethiopia and established relations with Ethiopians and subsequently assisted us in the attempt.

Q. You didn't answer my question what your position was in the Jama'ah.

A. They say I am one of the leaders, but that is an exaggeration. I am one of the members of the Jama'ah.

Q. We had the impression that the people you sent to us were financial backers of the Taliban movement and that they defended it. I have heard that you set up a Taliban stronghold at Kandahar. Is that true?

A. We do not receive direct protection from any quarter; we are not under anyone's protection. In the areas belonging to our brothers in Taliban, Islam is applied properly. Those who live there do not face security problems such as brigandage, as happens in the areas of other parties. Thus, we move from place to place and we see that their areas are safe, and one observes that many of the outward practices of Islam are performed there. We are not under their protection and they know nothing about us. We lived in their areas for a time, and they are safe and better than other areas.

Q. Can you say that you are trying, from Afghanistan and from this isolated room in the midst of the mountains, to topple the Egyptian regime?

A. I am just one individual and the Jama'ah does not depend on any person. Our main effort is inside Egypt; the role of those who are outside is secondary.

Q. How do you justify killing tourists, attacking jewellery stores and other similar actions?

A. The Jama'ah, in every one of its moves and actions, bases itself on the shariah. It does not do anything until it has consulted the pious ulema. In all such actions we base ourselves on the fatwas of reliable Islamic scholars. When a fatwa is available, we study what is good and what is bad, and then the capacity and possibilities for application. We deal gently with tourists, since we warned them for an entire year - we excused them and warned them.

Q. What is your relationship to Omar Abdel Rahman? How true is the recent report that you cautioned Washington against continuing the imprisonment of Sheikh Omar Abdel Rahman?

A. The Jama'ah is eager for that relationship to continue, for he is the mufti and commander of the Jama'ah and in one way or another he can be referred to on questions relating to the Jama'ah. The kidnapping of Americans to ransom the Sheikh is a possibility that is under consideration and is not to be ruled out. We have warned America in our statements. It is a question of possibilities and the right circumstances, so that things will turn out the way we want them. Sheikh Omar Abdel Rahman is a great personality as far as the Islamic world is concerned, and we are considering ways to convince the United States Government to release him.

Q. What is the nature of your relations with the Algerian Armed Islamic Group and what do you think of its claiming responsibility for the killing of Muhammad Al-Sa'id and Abd Al-Razzaq Rajjam?

A. We fully support the Group in the actions it takes against the Algerian Government following its usurpation of the authority of the Muslims. There are some actions with which shariah opinion disagrees. However we, as an Islamic group, excuse them, for it is they who determine the nature of the confrontation. In our movements in Egypt we resemble our brothers in Algeria. We do not support the killing of Al-Sa'id and Rajjam; in fact we strongly disapprove of it.

Annex II

[Original: English]

Cairo, 21 April (Reuters) - A fugitive Egyptian militant wanted for questioning over the attempt to kill Egyptian President Hosni Mubarak in Ethiopia last June has said the Sudan played no role in the attack.

Mustafa Hamza, a member of the militant Gama'a al-Islamiya, which claimed responsibility for the shooting, told the international Arabic paper Al-Hayat in an interview published on Sunday that none of those involved in the attack were in the Sudan.

Sudan faces possible United Nations sanctions for failing to hand over Hamza and two other men whom Egypt says it harboured after the failed attack in Ethiopia. The others believed to be involved in the attack were arrested or killed in a shootout.

"There was no link with any country or organisation in this attempt," Hamza told the newspaper in an interview in Afghanistan. "The Egyptian Gama'a al-Islamiya and its sons undertook [the attack] in thought, planning and execution."

The Gama'a, which is fighting to overthrow Mubarak's Government and set up a strict Islamic State, has taken responsibility for the killing of 18 Greek tourists in Cairo last week.

"There is no third person as people keep saying", he said.

"We have no brothers in the Sudan [and] the other brother [suspect] is in another country and will appear soon", said Hamza, who served a seven-year jail sentence for his role in the assassination of Egyptian President Anwar Sadat, killed in 1981 by Muslim zealots in the army.

Mubarak escaped unhurt when gunmen opened fire on his entourage on 26 June shortly after arriving in Addis Ababa for a summit meeting of the Organization of African Unity.

The extradition demand was first made in a council resolution adopted unanimously on 31 January.

The Sudan says it has been unable to find any of the suspects. A United States official said earlier this month that at least one of them had recently left the Sudan, possibly with the assistance of Sudanese officials.

Hamza said he had been in Afghanistan at the time of the attempt on Mubarak's life and said he had lived there for the last eight months. He said only one or two of the attackers entered Ethiopia through the Sudan, while the others came from Pakistan.

Asked about Gama'a threats against the United States over the jailing of the group's mentor Sheikh Omar Abdel Rahman in January, Hamza said the group was still considering a response.

"The question of kidnapping Americans to hold as ransom for the sheikh has been put forward", he said. "It is not ruled out and it is under study."

Abdel Rahman was sentenced to life in prison for planning a war of violence in the United States that included the bombing of the United Nations building, bridges and tunnels leading into New York and the assassination of political and religious leaders.

The Gama'a said at the time it would respond "blow for blow" for the sentence.